

OFFICIAL COUNCIL PROCEEDINGS

A regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on April 4, 2011, and called to order by Mayor Knaack at 7:00 p.m. in the City Council Chambers. The following members were present: Smith, White, Soviak, Riedel, Schwebs, Kolve, Solberg, Brogan, Beety and Gabriel.

MOTION was made by Smith, seconded by White, and carried to approve the minutes of the March 7, 2011 meeting.

PUBLIC HEARING Mayor Knaack announced time for the public hearing relating to the request for the city to rezone Lot 1, Certified Survey Map No. 1627, Vol. 6, Page 177; and Lot 6, Block Two, Stout Technology Park from Technology Park Specialized Industrial District to Local Commercial District. Chris Smith, Director of the Stout Technology and Business Park announced that he was available to answer questions. Director of Public Works, Randy Eide, announced that the recommendation from the Plan Commission was to only rezone Lot 1, CSM 1627 and leave Lot 6, Block Two zoned as Technology Park Specialized Industrial District. Hearing closed.

PUBLIC COMMENTS Lynn Dickmann and Daniel Louis each introduced themselves and both stated that they are candidates for the vacant 4th ward council position.

Amy Young, owner of Bodyworks, requested the Council to consider all options before making a decision on the request for parking restrictions adjacent to their property on Schneider Avenue.

Teresa Johnson, owner of Bouncin' Babies, expressed her concerns about the parking congestion adjacent to her business at 3020 Schneider Avenue and requested the city adopt an ordinance stating no parking from 4:00 p.m. to 6:00 p.m. on one, or possibly on both sides of the road.

Lisa Quinn-Lee spoke in support of the request from Teresa Johnson for parking restrictions on Schneider Avenue.

Beth Gryskiewicz, Plant Human Resources Manager at 3M, described the request from 3M to host a U.S. Title Series Boat Race on Lake Menomin from May 27 – 30, 2011 and asked the Council for approval of the event.

Jed Hart, representing Justice & Freedom, Inc., requested the Council to approve his application to transfer the Class B Beer & Liquor license currently issued to Broadway Enterprises of Menomonie, Inc. (Off Broadway, 631 South Broadway) to his corporation Justice & Freedom, Inc. (trade name = The Pickle, 631 South Broadway).

Lisa Montgomery, representing the Greater Menomonie Area Chamber of Commerce, requested approval of the proposed activities for Freedom Fest 2011 at Wakanda Park on July 4, 2011.

Dennis Spader, and Deb Bruming, Public Health Educator from the Red Cedar Medical Center, spoke in support of drafting a public intoxication ordinance to create a safer alcohol environment.

Shelly Stewart, representing Main Street of Menomonie, Inc., requested approval of several events as listed on the agenda, and for free city meter parking in August from the 8th – 19th, and from December 19th – 30th, 2011.

Jim Lilli, Executive Director of the Dunn County Humane Society, announced that he was available for questions regarding the three requests that he has asked the Council to approve.

Joe Craven, representing ProVyro Waste Services, LLC, stated that he was available for questions relating to his application for a Solid Waste Collection license in the City.

Chuck Backus, representing the Dunn County Historical Society, asked the Council for approval to offer horse drawn carriage rides on the city streets in Wakanda Park on August 13, 2011 for their Family Festival event.

MOTION was made by Beety, seconded by Smith, and carried to suspend the rules and extend the time for public comments.

Carolyn Kuether, representing the Dunn County Public Health Department, provided some crime statistics where alcohol has been involved.

Tim Hoel, Chairman of the Dunn County Partnership for Youth, also spoke in support of the creation of a public intoxication ordinance.

MOTION was made by Solberg, seconded by Kolve, and carried with Riedel opposed to approve the following 2011 event requests to use various public facilities, right-of-ways or receive other city support, and approve the following vendor provision for the Main Street and Chamber requests : ~~A~~ vendors, if any there may be, shall be exclusively selected by the event requesters and those selected vendors alone shall be considered to be exempt from the requirements of our transient merchant ordinance pursuant to Title 3, Chapter 12, Section 3, L.

<u>Main Street of Menomonie, Inc.</u>	
Fall-O-Ween (Halloween Event)	October 29, 2011
Winterdaze Parade	December 8, 2011
Veteran’s Memorial Flag Day Ceremony	June 14, 2011
8th Annual Great Community Cook-Out	Sept. 8, 2011
Free City Meter Parking	August 8 – August 19, 2011
Free City Meter Parking	December 19 – 30, 2011
<u>Greater Menomonie Area Chamber</u>	
Freedom Fest 2011 - Wakanda Park	July 4, 2011
<u>Shirley Doane Senior Center</u>	
Popcorn in the Park - Tuesday nights/band concerts	June 7– August 2, 2011
Picnic in the Park - Lion's Club Pavilion	July 20, 2011
<u>Race for the World 5k - Stout Event Society</u>	April 30, 2011
<u>Susan G. Komen 5k Fun run/walk - Jen Kohnke</u>	June 25, 2011
<u>Firefighters Local 1697 - Kickball Tournament (MDA)</u>	Aug. 27, 2011
<u>Dunn County Historical Society - 3rd Annual Family Festival</u>	August 13, 2011
<u>Dunn County Fair Board - Fair Street Closures</u>	July 26 - July 31 2011
<u>Walk to End Alzheimer's Disease - Wakanda Park</u>	September 24, 2011
<u>Dunn County Humane Society</u>	
Weekly Fundraiser Adopt me - Tuesday nights/band concerts	June 7– August 2, 2011
Dog Swim Fundraiser	September 3, 2011
Annual Walk For Paws	September 10, 2011
<u>St. Joseph Catholic Church Parish - Fall Festival</u>	Sept. 17th,18th, 2011
<u>1st Annual Marty Miller Memorial 5k run/walk - Wakanda Park</u>	October 1, 2011

ORDINANCE MOTION to waive the first reading of the ordinance rezoning Lot 1, Certified Survey Map No. 1627, Vol. 6, Page 177; and Lot 6, Block Two, Stout Technology Park from Technology Park Specialized Industrial District to Local Commercial District was made by Gabriel, seconded by Solberg, and carried.

MOTION to waive the second reading was made by Smith, seconded by White, and carried.

MOTION to adopt the ordinance with the amendment to delete Lot 6, Block Two, as recommended by the Plan Commission was made by Beety and seconded by Smith.

MOTION to suspend the rules to hear from Chris Smith, Director of the Stout Technology and Business Park was made by Beety, seconded by White, and carried. Mr. Smith stated that businesses have been polled and he has not received any objections to the proposed rezoning.

ADOPTION of the amendment carried on the following roll call vote: Ayes: Smith, White, Riedel, Kolve, Solberg, Brogan and Beety. Noes: Soviak, Schwebs and Gabriel.

ORIGINAL MOTION, AS AMENDED, carried with Gabriel opposed.

PRESENTATION of public intoxication and forfeiture schedule information was discussed by the administration and council members. MOTION was made by White, seconded by Solberg, and carried to have the City Attorney draft a “public intoxication” ordinance for the next meeting.

MOTION was made by Smith, seconded by Solberg, and carried to suspend the rules to hear from Beth Gryskiewicz, Plant Human Resources Manager at 3M. Ms. Gryskiewicz described in detail the proposed boat race event and answered questions from the council members.

MOTION was made by Smith, seconded by Beety, and carried on roll call vote with White and Riedel opposed to approve the request from 3M to host the U.S. Title Series Boat Race on Lake Menomin on May 27 – 30, 2011 with the intent that additional information may be provided before the event next year.

MOTION was made by Brogan, seconded by Smith, and carried directing the city to install signage and stripe the curbs at the driveway entrances to Bouncin’ Babies and Bodyworks and report back by July 1, 2011 if this has helped to alleviate the parking congestion problem in that area.

MOTION was made by Schwebs, seconded by Kolve, and carried to suspend the rules to hear from the applicants for the 4th ward vacant council position.

Mayor Knaack asked both candidates to provide some additional information about themselves and their desire to represent ward four.

MOTION was made by White and seconded by Gabriel to nominate Lynn Dickmann to the vacant 4th Ward council position. MOTION was made by Brogan and seconded by Kolve to nominate Daniel Louis to the vacant 4th Ward council position. A roll call vote resulted in the following: The following members voted for Lynn Dickmann: Smith, White, Riedel, Schwebs, Solberg, Beety and Gabriel. The following member voted for Louis: Kolve. Soviak and Brogan abstained from voting. Lynn Dickmann declared as 4th Ward Alderperson for a term expiring in April of 2012.

BIDS were received for the Red Cedar Street safe routes to school project as follows:

- ▶ Pember Companies \$371,534.64
- ▶ Haas Sons, Inc. \$403,800.15
- ▶ A-1 Excavating \$410,055.60
- ▶ Mattison Contractors \$432,989.85
- ▶ Albrightson Exc. \$471,457.20

MOTION was made by Brogan, seconded by Smith, and carried on roll call vote to accept the bid of \$403,800.15 from Haas Sons, Inc. contingent upon the following: 1. The contractor providing all necessary bonding, insurance and WisDOT-required Disadvantaged Business Enterprise (DBE) materials. 2. WisDOT approving the Request to Award.

Note: On March 30, 2011, Pember Companies submitted a letter withdrawing their bid.

MOTION was made by Smith, seconded by Kolve, and carried authorizing submittal of the 2010 stormwater utility annual report to the Wisconsin Department of Natural Resources.

MOTION to approve the proposed 2010-2011 Menomonie Police Staff Officers successor labor agreement, which includes a 1% pay increase in each of the two years for the Sergeants and a 2% increase July 1, 2011 for the Lieutenants, was made by Schwebs, seconded by Brogan, and carried on roll call vote with Riedel and Gabriel opposed.

MOTION to approve a 1.5% pay increase effective April 1, 2011 for the non-represented employees was made by Schwebs, seconded by Solberg, and carried on roll call vote with Gabriel opposed.

Note: The non-represented employees received no wage increase in 2010.

BIDS were received for a replacement mower for the Parks Department as follows (includes trade-in):

Tractor Central, Menomonie (John Deere – F1445 Front Mount)	\$9,878.00
Value Implement, Menomonie (Kubota – F3680 Front Mount)	\$11,875.00
MTI Distributing, Brooklyn Center, MN (Toro–Groundsmaster 3280 Front Mount)	\$17,264.00
Turfwerks, Eagan, MN (Jacobson 628 Turfcut)	\$13,209.00

MOTION was made by Brogan, seconded by Kolve, and carried on roll call vote to accept the low bid of \$9,878.00 from Tractor Central.

BIDS were received for Lift Station Rehabilitation – Interstate 94 & 21st Street as follows:

Haas Sons -	\$187,090.00
Wapasha Construction -	\$195,166.80
McCabe Construction -	\$199,800.00
Winona Mechanical -	\$214,907.00
Pember Companies -	\$242,000.00
Minger Construction -	\$271,741.25

MOTION was made by Schwebs, seconded by Brogan, and carried on roll call vote to accept the bid of \$187,090.00 from Haas Sons, Inc. contingent upon the contractor providing all necessary bonding, insurance and contract documents.

MOTION was made by Beety, seconded by Smith, and carried to postpone discussion on the review of street / trail naming policies until the first meeting in July.

APPOINTMENTS MOTION to approve the recommendation of Mayor Knaack and appoint Ron R. Riek and Robert G. Walter to the Airport Commission to replace Bob Willow and Jeff Overby was made by Soviak, seconded by Solberg, and carried.

MOTION was made by Soviak, seconded by Smith, and carried to postpone discussion on the 2011 – 2013 proposed state budget impact until a June meeting.

COMMUNICATIONS The agenda packet included notice of a Mixed Use Redevelopment Strategy meeting scheduled for April 14, 2011 at the Mabel Tainter Theater; a Press Release relating to the hiring of a Police Chief; and the February and March activity reports from the Police Department.

MOTION was made by Brogan, seconded by Kolve, and carried unanimously on roll call vote to approve payment of the following claims from the March 21, 2011 cancelled meeting, and the April 4, 2011 meeting:

<u>Claims</u>	<i>(from the March 21, 2011 meeting)</i>
CDW Government	\$ 116.84
Cardmember Services	4,199.03
Halverson Bros.	1,065.00
Mobile Office Designs	630.00
Staab Construction	45,657.00
WI Dept. of Administration	280.00
<u>Parking Utility Claims</u>	
City Treasurer	\$ 6,406.90
Sherwin Williams	5,699.99

<u>Claims</u>	<i>(from the April 4, 2011 meeting)</i>
Active Network	\$ 1,700.00
Brownells, Inc.	458.91
CDW Government	150.55
Cedar Corporation	31,606.40
Net Tel Communications	53.00
Traffic & Parking Control	100.00
Verizon	1,349.93
<u>Parking Utility Claims</u>	
Cedar Corporation	\$ 126.25
Keyes Chevrolet	6.16

LICENSES - MOTION was made by Soviak, seconded by Smith, and carried to approve the following licenses from the March 17, 2011 cancelled meeting and the April 4th meeting:

LICENSES – March 21, 2011

OPERATORS: Heather L. Byl; Kevin R. Olson; Mickey T. Shay; Ashley L. Waak; Melissa B. Werner.

LICENSES – April 4, 2011

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CAB DRIVER: Jason E. Banks; Pamela S. Stockland.

MASSAGE THERAPY FACILITY: Mainstreet Health & Fitness, 310 Main St., SUBJECT TO FINAL INSPECTION.

MASSEUSE: Meghan J. Thomoson (Burkett).

OPERATORS: Karlyn E. Bechel; Jodi A. Beseler-Webb; Linda M. Chase.

PUBLIC DANCE PERMIT: St. Joseph Catholic Parish, Sept. 17, 2011 (event = Fall Festival
Location of dance = 910 Wilson Avenue – Parish Center Parking Lot (rain site = gym or church basement).

SOLID WASTE COLLECTION: ProVyro Waste Services, LLC (Joseph Craven & Andrew Holland), one vehicle, License #LB10079.

SOUND AMPLIFYING EQUIPMENT PERMIT:

Greater Menomonie Area Chamber of Commerce – July 4, 2011, FreedomFest @ Wakanda Park - beach and upper park from 10:00 a.m. – 11:00 p.m.;
3M – May 27, 28 & 29, 2011, Lake Menomin Power Boat Races @ Wakanda Park – lower park area from 10:00 a.m. – 10:00 p.m.

TEMPORARY CLASS “B” BEER LICENSES:

Greater Menomonie Area Chamber of Commerce, July 4, 2011, (event = FreedomFest)
Licensed area = Wakanda Park - Upper Park (staged area) beer sales- 11:00 a.m. – 6:00 p.m.; and Beach area - beer sales - 4:00 p.m. – 11:00 p.m.
St. Joseph Catholic Church, Sept. 17 - 18, 2011 (event = St. Joseph Church Fall Festival)
Licensed area = 910/921 Wilson Avenue – Outdoor paring area, gym area; and Saturday evening (Sept. 17th) in church basement – Charles Hall during dinner.
Tainter / Menomin Lake Improvement Association, May 28 & 29, 2011 (event = Lake Menomin Power Boat Races) *Licensed area = Wakanda Park (lower park, beach area – fenced-in area).*

<u>Temporary Class “B” Beer To:</u>	<u>Location:</u>	<u>Date of event:</u>	<u>Event:</u>
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	4/15/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	4/22/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	4/29/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	5/06/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	5/13/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	5/14/11	Enduro races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	5/20/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	5/27/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	6/03/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	6/04/11	(rain date for 5/14/11 Enduro races)
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	6/10/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	6/17/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	6/24/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	7/01/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	7/08/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	7/15/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	7/22/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	8/05/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	8/12/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	8/19/11	races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	8/20/11	Enduro races
Red Cedar Racing Association, Inc.	Dunn Co. Rec. Park	9/23 to 9/25/11	races
(licensed area on all of the above = Fenced in area of the grandstand, and pit area of the race track.)			

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MOTION was made by Brogan and seconded by Kolve to approve the application for a Class “B” Beer & “Class B” Liquor, and a Cabaret License to Justice & Freedom, Inc. (The Pickle – 631 South Broadway) SUBJECT TO PROVIDING A COPY OF THE WISCONSIN SELLERS PERMIT, AND SUBJECT TO FINAL INSPECTION.

MOTION to suspend the rules to hear from the applicant, Jed Hart, was made by Smith, seconded by Soviak, and carried. Mr. Hart answered questions from the Council Members relating to his proposed business.

ORIGINAL MOTION carried.

MOTION to adjourn was made by Brogan, seconded by Kolve, and carried.

JoAnn L. Kadinger, City Clerk